IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

MARIO MARTINEZ on behalf of himself and all other persons similarly situated, known and unknown,)))
Plaintiff, v.) Case No. 08 CV 896)
DELKO CONSTRUCTION COMPANY and DEMETRIOS L. KOZONIS, individually) Honorable John W. Darrah) Judge Presiding)
Defendants.)

NOTICE OF MOTION

TO: Iain D. Johnston Johnston Greene LLC 542 S. Dearborn St. Suite 1310 Chicago, IL 60605

PLEASE TAKE NOTICE that on June 25, 2008 at 9:00 am, we shall appear before Judge Darrah, in the Courtroom usually occupied by him in the U.S. District Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn Street, Chicago, Illinois, and shall then and there present Plaintiff's Motion for Costs and Attorneys' Fees Pursuant to Fed. R. Civ. P. 4(d)(5), a copy of which is attached hereto and hereby served upon you.

Dated: June 19, 2008

Respectfully submitted,

s/John E. Untereker
JOHN E. UNTEREKER
Working Hands Legal Clinic
77 W. Washington, Suite 1402
Chicago, Illinois 60602
312/795-9115
Attorneys for Plaintiffs